

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

UNITED STATES DISTRICT COURT

SEP 27 2007 PM 3:37

SOUTHERN DISTRICT OF GEORGIA

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SAVANNAH DIVISION

ROBERT EUGENE WATERS,)

Plaintiff,)

v.)

Case No. CV407-035

PRISON HEALTH SERVICES,)
and DR. JACKSON,)

Defendants.)

REPORT AND RECOMMENDATION

Robert Eugene Waters, an inmate at Chatham Detention Center, previously submitted to the Court for filing a complaint brought pursuant to 42 U.S.C. § 1983, along with a motion to proceed *in forma pauperis*. Docs. 1, 2. In an order dated March 14, 2007, the Court granted Waters leave to proceed *in forma pauperis* and ordered him to submit within thirty days of that order a Prisoner Trust Fund Account Statement form and a Consent to Collection of Fees from Trust Account form. Doc. 4 at 4. The order further advised Waters that if he failed to

return the forms within the thirty-day deadline, the Court would presume that he desired to voluntarily dismiss his complaint without prejudice. Id. at 5.

Waters never returned the required forms. Because the thirty-day deadline expired more than six months ago, Waters' § 1983 complaint should be **DISMISSED WITHOUT PREJUDICE**.

SO REPORTED AND RECOMMENDED this 29th day of October 2007.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA